

**ZONING & UTILITIES COMMITTEE MEETING
TUESDAY, MARCH 31, 2009 @ 6:30 PM**

ITEM #1

Application for a Zone Change from Bus B to Rec C for 1.7 acres of property located at 133 Leona Avenue (lot) for the purpose of constructing condos.

Applicant: Vitaliy Dzhenzherukha, 32 Westview Ln, Feeding Hills, MA 01030.

ITEM #2

Application for a Special Permit under section 275-54 for the purpose of waiving the frontage requirement from 150 ft. to 72 ft., side yard setbacks from 20 ft. to 10 ft., rear yard setback from 20 ft. to 14-15 ft. (depending on Building) located at 133 Leona Avenue.

Applicant: Vitaliy Dzhenzherukha, 32 Westview Ln, Feeding Hills, MA 01030.

ITEM #3

Petitions from Bay State Gas Company for Linda Avenue (from Chicopee Street to House #34), Grace Street (from Grattan Street to House #59), Rolf Avenue (from Grattan Street to Cul-De-Sac), Crawford Street (from Grattan Street to House #28), Pleasantview Avenue (from Crawford Avenue to House #53), Mt. Carmel Avenue (from Chicopee Street to House #58)

ITEM #4

ORDERED THAT the request from Western Mass Electric Company for support of its Greater Springfield Reliability Project be forwarded to the Utilities Committee and Zoning Committee.

ITEM #5

Minutes - February 24, 2009



CHICOPEE CITY COUNCIL
ZONING & UTILITIES COMMITTEE

ACCEPTED 4/28/09

ZONING COMMITTEE MEMBERS

Jean Croteau, Chairman
Dino A. Brunetti, Vice-Chairman
James Tillotson
George Moreau
John Vieau
Fred Krampits
Donald Demers

UTILITIES COMMITTEE MEMBERS

Fred Krampits, Chairman
Timothy McLellan, Vice-Chairman
George Moreau
Jean Croteau
Ronald Belair

MINUTES
March 31, 2009

The following are the minutes of a public hearing held Tuesday, March 31, 2009 at 6:30 PM in the City Council Chambers, Fourth Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

Members Present Croteau, Brunetti, Tillotson, Krampits, Demers, Belair, McLellan (arrived 6:31), Vieau

Members Absent Moreau

Also Present Dan Garvey (City Solicitor), Kate Brown (Planning Director) Jeff Cady (General Manager, CEL)

The meeting was called to order at 6:30 PM

ITEM #1

Application for a Zone Change from Business B to Residential C for 1.7 acres of property located at 133 Leona Avenue (lot) for the purpose of constructing condos.

Applicant Vitaliy Dzhenzherukha, 32 Westview Lane, Feeding Hills, MA 01030.

Mr. Dzhenzherukha was present at the meeting. He stated that he is requesting the zone change because he would like to develop the property into condominiums. He is proposing 23 units each with a one car garage. The buyer will have the option of a one bedroom or two bedroom unit. The master bedroom will be located on the first floor of the unit. He stated that the residential use is more compatible with the neighborhood because most of the homes are single dwelling residences on the abutting streets.

Councilor Tillotson stated that he wants everyone present to be aware that if the Council approves the zone change to Residential C there is no guarantee that this property will be developed into condominiums. With a Zone Change the owner has the right to develop it into anything that is allowed until the Residential C zone.

PUBLIC INPUT

Frances Alix, 29 Jeanette Drive – he is concerned about not having enough information to grant the zone change.

Thomas Alexopoulos, 119 Leona Avenue – stated that he would like to see more planning of these condos and a real commitment.

Dorothy Alexopoulos, 119 Leona Avenue – stated that there is ground contamination at this property.

A 23B report was done and it was presented.

Lisa Zajac, 84 Leona Avenue – traffic concerns. With the increase in residents that results in more traffic.

Alina Zawacka, 125 Leona Avenue – stated she is opposed to the number of condos because it would increase the number of cars traveling on the street.

Everett Kerley, 174 Champagne Avenue.

Muriel Banas, 73 Leona Avenue – the property currently has cars, trucks, trailers and equipment. She would like to know how long all these vehicles and equipment will be stored on this property.

Councilor Vieau stated that this is just a concept. The applicant will still have to come before the Planning Board with a preliminary plan and then a definitive plan. All reviewing departments will have to review the plans and the developer will have to satisfy all ordinances before this project can begin.

Councilor Tillotson read the following report from the Fire Chief – *“The applicant has not submitted enough information to render an educated response. The applicant should be made to submit a plan depicting the site as planned for development as well as the plan for lot #1 on the same parcel. The plan submitted raises questions of adequate emergency vehicle access, tenant parking, emergency personnel access to the rear of the structures and whether or not this parcel can accommodate this number of units.”*

Councilor McLellan stated that he would like to see more information before a decision is made.

Councilor Vieau stated that he fully trusts the city department heads to make the correct decision. He would like to see the zone changed to residential because right now he is receiving complaints about dust, noise, traffic from abutters of the business property.

Motion made by Councilor Vieau to table to the Zoning Committee. Motion passed.

ITEM #2

Application for a Special Permit under section 275-54 for the purpose of waiving the frontage requirement from 150 ft. to 72 ft., side yard setbacks from 20 ft. to 10 ft, and rear yard setback from 20 ft. to 14-15 ft. (depending on Building) located at 133 Leona Avenue.

Applicant Vitaliy Dzhenzherukha, 32 Westview Lane, Feeding Hills, MA 01030.

Mr. Dzhenzherukha was present at the meeting.

Motion made by Councilor to table to the April Zoning Committee meeting. Motion passed.

ITEM #3

Petition from Bay State Gas Company to replace and maintain 450' of IP gas main in Grace Street (from Grattan St to House #59).

Robert Tetreault, Field Engineer Technician, Bay State Gas Co. was present.

Committee vote 7 – 0 favorable.

Petition from Bay State Gas Company to replace and maintain 580' of 2" IP gas main in Mt. Carmel Avenue (from Chicopee St to House #58).

Committee vote 7 – 0 favorable.

Petition from Bay State Gas Company to replace and maintain 230' of 2" IP gas main in Crawford Avenue (from Grattan St to House #28) and 500' of 2" IP gas main in Pleasantview Avenue (from Crawford Ave. to House #53).

Committee vote: 7 – 0 favorable.

Petition from Bay State Gas Company to replace and maintain 370' of 2" IP gas main in Linda Avenue (from Chicopee St to House #34).

Committee vote: 7 – 0 favorable.

Petition from Bay State Gas Company to replace and maintain 1910' of 2" IP gas main in Rolf Avenue (from Grattan St to Cul-De-Sac).

Committee vote: 7 – 0 favorable.

ITEM #4

ORDERED THAT the request from Western Mass Electric Company (WMEC) for support of its Greater Springfield Reliability Project be forwarded to the Utilities Committee and Zoning Committee.

Motion made to remove from the table. Motion passed.

Jeffrey Towle, Project Manager, Transmission, Northeast Utilities Service Company was present at the meeting.

Councilor Belair asked whether Jeff Cady had an opportunity to work out an agreement with WMEC regarding Chicopee electric light customers receiving better rates because of this project coming through the city. Jeff responded that an agreement has not been reached. Asked whether within the next 30 days an agreement could be reached. He responded that it could.

Jeff Towle stated that this is a process and he does not feel that an agreement could be reached in the next 30 days with CEL.

Dan Garvey stated that he has been in contact with the attorney for WMEC and a Memorandum of Understanding will be drafted for this project. He also stated that State codes and regulations supersede the city's ordinances. In the memorandum of understanding language will be placed that the work area will be returned to the condition in which it was found. He also stated that WMEC has met with the residents of Schoolhouse Road and an agreement has been reached there.

Donald Chapdelaine stated WMEC has been very cooperative and they have agreed to move the poles closer to the Turnpike property.

Jeff Towle stated that WMEC has applied to the Turnpike Authority for permission to relocate the poles.

John Kauflan, 149 Riverdale Street, West Springfield, asked whether the Medina Street boat ramp will be opened during construction time. Jeff Towle stated that the ramp will be opened. Councilor Belair stated that most of the issues have been resolved from the last meeting. However, he would still like to see CEL negotiate with WMEC for CEL subscribers. He would like to have something in writing from CEL that the department supports the project.

Motion made by Councilor Belair to table. Motion passed.

ITEM #5

Minutes – February 24, 2009.

Motion made to approve. Motion passed.

Meeting adjourned at 8:30 PM.